

**FILED**

**MAR 11 2015**

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

**BILLINGS DIVISION**

BARRY K. HOLT,

Petitioner,

No. CV 13-85-BLG-SEH

vs.

**ORDER**

LEROY KIRKEGARD; ATTORNEY  
GENERAL OF THE STATE OF  
MONTANA,

Respondents.

On February 20, 2015, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation<sup>1</sup> in this matter. Petitioner did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

---


<sup>1</sup> Doc. 30.

Upon review, I find no clear error in Judge Ostby's Findings and Recommendation and adopt them in full.

ORDERED:

1. The petition<sup>2</sup> is DENIED on the merits.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith as there has been no showing of any denial of constitutional rights and no reason to encourage further proceedings.

DATED this 11<sup>th</sup> day of March, 2015.

  
SAM E. HADDON  
United States District Judge

---

<sup>2</sup> Doc. 1.